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**House Committee on Lower & Higher Education
Friday, January 31, 2020, 2:00 p.m.**

Testimony by:

Kendra Oishi, Executive Administrator and Secretary, Board of Regents

H.B. No. 2170 – RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS

Chair Woodson, Vice Chair Hashem, Vice Chair Quinlan, and members of the Committee:

The Office of the Board of Regents (Board Office) supports the intent of H.B. No. 2170 to provide avenues for meaningful engagement in meetings of the Board of Regents, and offers additional comments.

The Board Office has been exploring the possibility of providing audio livestreaming of board and committee meetings. Although we have identified a technical solution to providing audio livestreaming, we are working through identifying solutions to adhere to the various requirements of the Americans with Disabilities Act (ADA). The University has also entered into a Voluntary Resolution Agreement (VRA) which includes parameters regarding online content and functionality. Background on the VRA may be found here: <https://www.hawaii.edu/access/resources/uhvra/>

There are a number of considerations with regard to ensuring ADA compliance for audio or video live broadcasts and archived files, which may require closed captioning and/or transcription. Specific considerations include information technology staff and capacity during meetings and for post-production of digital files, storage capacity for archived files, and the associated human and financial resources that would be required for implementation.

Meetings are held across the University's campuses statewide and are typically held in classrooms or other facilities that are not specifically designed for meetings of this type. As such, campuses must configure the rooms and audio systems for meetings, and each campus has varying levels of technical and human resource capacity. Broadcasting meetings in live video format would require more financial and human resources than audio. Long-term archiving of digital files would also result in additional costs.

Legislation is not required to implement the intent of this measure. The Board Office is working toward the goal of providing audio livestreaming and identifying the steps that need to be taken and the resources that would be required to comply with ADA

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requirements. If the Committee is inclined to recommend passage of this bill, we would respectfully request that it be amended in one of two manners:

- (A) That the language in this bill be replaced with language that requires the Board Office to assess the requirements and costs of implementing this measure as proposed and provide a report to the Legislature prior to the 2021 legislative session; or
- (B) That the language in the bill be amended as follows:
 - (1) To allow for audio format to be implemented for two years from the effective date of the bill before transitioning to video format;
 - (2) To stipulate that the archived audio or video, as applicable, only be maintained until the approved meeting minutes have been made available online;
 - (3) To allow for an assessment of the requirements and costs of implementing this measure to be conducted so that consideration may be given to a proposed budget request for the Board Office to be submitted in the next legislative session to implement the measure; and
 - (4) That the effective date be changed to December 31, 2020, to allow time to work through ADA compliance and resource requirements.

Thank you for the opportunity to testify on this measure.